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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,638	10/18/2001	Shiro Nishimura	262A 3153	8572

7590 12/22/2004

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EXAMINER

SHAH, KAMINI S

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,638

Applicant(s)

NISHIMURA ET AL.

Examiner

Kamini S Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 12-17 is/are rejected.
- 7) ☒ Claim(s) 8-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by

Patel et al 6,438,690

3. Regarding to claim 1 invention, such as conforming user eligibility in advance, Patel et al teaches end user terminal and registration authority terminal with provides a confirmation function (initiated by user) that verifies the successful installation of Web browser and Web server certificates;

upon request from the client computer, server provides checks in browser screen, Patel teaches

If the "challenge" question and "response" match, an approved process, C4, is entered in which an organization certificate is downloaded after the application performs the operation shown in function box "e" in which the vault application "request challenge" is replaced with the "challenge response"; the vault application registration request ID is replaced with an application ID; and an encoded certificate number generated by the application is wrapped using PKCS7. Upon completion of function "e", screen number 6 is displayed to the end user in which the end user clicks on a box to download the certificate whereupon the application performs function box "g" which disconnects the end user browser from the application. The end user browser is reconnected to the application 20 using SSLv3 in which client authentication is required. Thereafter, the application performs function box "h" in which confirmation of certificate

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delivery is requested. If the organization's certificate is not received by the browser, screen number 8 is displayed to the end user and the end user returned to the function box "g" using SSLv3 for another pass at confirming delivery of the organization's certificate. If the organization's certificate is received, screen number 9 is presented whereupon the end user clicks "on" the "confirm" box, after which the process returns to screen number 1

Regarding last step, a specific service is provided to access request from client

computer on which user identification file confirmed, Patel teaches

When a "check status" box of screen is clicked, the browser sends the request to the application which performs function "n". The function "n" is almost identical to function "c" described in FIG. 7 except that "challenge questions" and "responses" are no longer required because the user has been identified with the vault certificate. Function "n" initiates the processes C1, C2, C4 and C5 previously described in FIG. 7, although the screen numbers have been renumbered to conform to the vault-based user enrollment. Specifically, screens numbered 5 and 6 correspond to screens numbered 4 and 5 in FIG. 7. Screen numbered 7 and 8 correspond to screen numbered 6 and 7 in FIG. 7. Screen numbers 9 and 10 correspond to screen numbers 8 and 9 in FIG. 7. Accordingly, further description in FIG. 8 of screen numbers 5-10 is not believed necessary in view of the corresponding description in FIG. 7.

Regarding to claims 2-7, claimed features are inherent form the teaching of Patel et al's Digital certificates when Registration Authorities determine whether the applicant should be authorized to access secure applications and that the certificate is issued from a Certification Authority after approval by Registration Authority as disclosed in background of invention on col. 2, lines 24-39 and lines 49-65.

Regarding claims 12-17, claimed features are inherent from the teach of Patel et al's screen number 1, screen number 2 and screen number 3, wherein application id is assigned and confirmation of certificate is delivered to end user see col. 12, lines 50-col. 13, lines 1-50.

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Allowable Subject Matter

4. Claims 8-11 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The disclosed prior art does not clearly suggest the service use contract is an agency contract.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamini S Shah whose telephone number is 571-272-2279. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kamini S Shah
Primary Examiner
Art Unit 2142

KSS